

**A RESOLUTION OF THE TOWNSHIP OF NORTH BRUNSWICK  
AUTHORIZING THE AWARD OF A PROPRIETARY CONTRACT  
TO DELTA CONNECTS FOR HVAC UPGRADES**

**WHEREAS**, the Department of Public Works Building Maintenance Division is responsible for providing maintenance and repairs to municipal facilities; and

**WHEREAS**, it has been determined the heating, ventilation and air condition (hereinafter "HVAC") software system for the Municipal Complex is in need of consolidation and replacement; and

**WHEREAS**, the majority of the HVAC system operates on a proprietary platform that was installed in 2006 pursuant to public bid 06-06 and authorized under resolution 270-9.06 and any upgrades must be compatible with this system; and

**WHEREAS**, the "Local Public Contracts Law" provides that except for contracts which require the performance of professional services, all contracts or agreements that are less than the bid threshold but are fifteen percent (15%) or more of that amount, two competitive quotations, whenever practicable, shall be solicited by the contracting agent; and

**WHEREAS**, N.J.S.A. 40A:11-5(dd) provides that goods or services may be purchased by an authorizing resolution of the governing body without public bidding if such goods or services are for the purchase, support or maintenance of proprietary software; and

**WHEREAS**, Delta Connects Inc. has provided a proposal to the Department to furnish, install, wire and start-up a replacement of existing system components with proprietary Delta Controls BMS in the amount of \$19,970.00; and

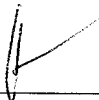
**WHEREAS**, the Department has reviewed the proposal and hereby recommends authorizing a contract with Delta Connects Inc. for purchase and installation of proprietary HVAC components; and

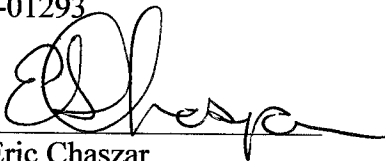
**WHEREAS**, the Chief Financial Officer hereby certifies that funds in the amount of \$19,970.00 have been made available in Capital Ordinance 15-14 Account C-04-55-C16-151-801.

**NOW, THEREFORE, BE IT RESOLVED**, on this 17<sup>th</sup> day of October, 2016 that the Township Council of the Township of North Brunswick does hereby authorize an agreement with Delta Connects Inc. for the replacement of existing system components with proprietary Delta Controls BMS in the amount of \$19,970.00.

**CERTIFICATION**

I, Kala Sriranganathan, Chief Financial Officer of the Township of North Brunswick, certify that funds in the amount of \$19,970.00 have been made available in Capital Ordinance 15-14 Account C-04-55-C16-151-801. Purchase Order # 17-01293

  
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Kala Sriranganathan  
Chief Financial Officer

  
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Eric Chaszar  
Director of Public Works

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Kathryn Monzo  
Business Administrator

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Ronald Gordon, Esq.  
Township Attorney  
Approved as to legal form